

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

JOHN W. MINTER, ON BEHALF  
OF THE WRONGFUL DEATH HEIRS  
OF WILLIAM ROBERT MINTER

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:09CV114TSL-JCS

SHOWCASE SYSTEMS, INC., GENERAL  
CONVEYOR COMPANY, LTD., AND  
MOONSTONE MECHANICAL INC.

DEFENDANTS

ORDER

This cause is before the court on the magistrate judge's June 8, 2010 report and recommendation which recommended that defendant Moonstone Mechanical Inc.'s motion to enforce settlement be denied and that its alternative motion to set aside the order of dismissal and reset deadlines should be granted to the extent that a dispositive motion deadline of June 25, 2010 be established. On June 9, 2010, Moonstone filed a motion to reset the dispositive motion deadline and trial, whereby it explains that it does not intend to challenge the magistrate judge's recommendation that its motion to enforce settlement be denied and requests that June 25, 2010, be established as the motion deadline and the trial in this matter currently set for August 2010 be continued. Having considered the report and recommendation and Moonstone's motion, the court, concludes that the report and recommendation should be adopted as the opinion of the court and that Moonstone's motion to reset the dispositive

motion deadline and to continue trial will be denied to the extent that Moonstone seeks a continuance of the trial date in this matter.

Based on the foregoing, it is ordered that the magistrate judge's June 8, 2010 report and recommendation is adopted as the opinion of the court. Defendant's motion to enforce settlement is denied and its alternative motion to reset the deadlines is granted. The motion deadline is reset to June 25, 2010. Moonstone's motion to reset the dispositive motion deadline and continue trial is denied to the extent that Moonstone seeks a continuation of the current trial setting.

SO ORDERED this the 10<sup>th</sup> day of June, 2010.

/s/Tom S. Lee  
UNITED STATES DISTRICT JUDGE